

इतर माणसवर्गीय जातींवरील उन्नत आणि प्रगत
व्यक्ती/गट (Creamy layer) वगळून
आरक्षणार्थी पत्राचे वैधत्वाबत निकष निश्चित
करण्याबाबत.

माहितीसाठी

समाजकल्याण, सांस्कृतिक कार्य व श्रम विभाग,

शासन निर्णय, क्रमांक-सीसी-1094/प्र.क. 86/संवक-5,

मंत्रालय विस्तार भवन, पुणे 400 032, दिनांक 16 मार्च 1994.

काळा :- (1) केंद्र शासन, मिनिस्ट्री ऑफ पर्सनेस, पर्सनल ग्रिडिंग्ज डिव्हिजन (पर्सनल ग्रिडिंग्ज डिव्हिजन) कडील कार्यासहीन जापन क्रमांक-36012/22/93-इएटीटी
(एल डी टी.) दिनांक 8 सप्टेंबर, 1993

2) शासन निर्णय सामान्य प्रशासन विभाग, क्रमांक-सीसी-1093/2167/सीआर-141/93/
16-अ, दिनांक 23 मार्च, 1994.

प्रस्तावना :- शासन निर्णय, सामान्य प्रशासन विभाग, क्रमांक सीसी-1093/2167/सीआर-141/93/16-अ,
दिनांक 23 मार्च, 1994 मध्ये संलग्न आयोगाच्या शिफारसीनुसार इतर माणसवर्गीयांक शक्तीय व निमशास्त्रीय सेवेत
आरक्षण देण्याबाबत आदेश निश्चित झालेले आहेत. संलग्न कायद्याने त्यांच्या अहवालात सूचित केलेल्याप्रमाणे आणि
सर्वांचे न्याय्यतेने याचिका क्रमांक (सिआर) 930/1990 दिवस सहाजी व इतर पिढ्या भारता सरकार व इतर,
माध्यमे निदेशित केल्यानुसार सामाजिक व शैक्षणिकदृष्ट्या मासालेखा वर्गीतील (इतर माणसवर्गीय) उन्नत आणि प्रगत
व्यक्ती/गट (Creamy layer) निश्चित करून त्यांना आरक्षणाच्या अर्थात तत्पुत्रांना इतर पत्राद्वारे कसेतून
मर्यादासाठी निकष ठरविण्याच्या दृष्टीकोनातून या निर्णय राज्य शासनाने घेतलेला आहे त्याबाबतचे आदेश
समाजकल्याण, सांस्कृतिक कार्य व श्रम विभागाकडून निर्णित करण्यात येतील असे संदर्भासाठी एरिन्डर क्र.4
मध्ये निदेशित केले आहे. या निदेशानुसार इतर माणसवर्गीयांतील प्रगत आणि उन्नत व्यक्ती/गट (Creamy layer)
निश्चित करण्यासाठीचे निकष म्हणून खालीलप्रमाणे आदेश निश्चित करण्यात येत आहेत :-

शासन निर्णय :- केंद्र शासनाने नियुक्त केलेल्या न्याय्यते, राम नंदन प्रसाद यांच्या अध्यक्षतेखाली संप्रतिने या
संदर्भात एक शिफारशी दिनांक 10 मार्च, 1993 रोजी केंद्र शासनाने दिलेला आणि केंद्र शासनाने कन्याया मंत्रालयाने
त्या मान्य केलेला आहेत त्या सर्व शिफारशी खाली मग्न केलेल्या सुधारणांसह उन्नत व प्रगत व्यक्ती/गट (Creamy
layer) निश्चित करण्याचे निकष राज्य शासन स्वीकृत करण्यास निर्णय या आदेशाद्वारे येत आहे.

1. कमाळ शीती धारणा संदर्भातील अधिनियमातील अर्थात शीत धारणेच्या पत्रा मर्यादेच्या 35 टक्के पर्यंत शीत
धारण करणा-या व्यक्तींना उन्नत आणि प्रगत व्यक्ती असा गट म्हणून गणले जाणार नाही.
2. ज्येष्ठ व्यक्तीच्या धारणा केलेल्या शीत विहीर बनवत शीत आहे त्या व्यक्तीबाबत असे विहीर बाबत शीत
मान्यत न करता जिरायत झाले जाईल, कारण सर्वसाधारणतः विहीरीमधून पुढील स्वरूपात पानी उपलब्ध होत
जाईल.
3. ग्राम स्तरावरील अनुलेदार यांना पत्रधारणेत उद्योग फिदा धंदः करणारी व्यक्ती समजण्यात येऊन त्यांना
उन्नत आणि प्रगत व्यक्ती/गट झाले जाणार नाही.

सहजतः यमलो ज्ञापार नही

मन्मथसुखनीय रजिता साधु रासतौलि

तत्पश्चात्तपे निरुक्तं यत् आदेशादशेषाच्च अनुसूचीमध्ये विहित केजरी मंत्रेन

बहादाबाबा रामय्यास चौथ्या कादशानुसार ज. १७८०.

2/20/2017

(सद्विषय-विशेष)

सर्वप्रथम (संस्कृतभाषा) में लिखें।

[illegible]

६५१ श्री/एचएमसी संकेत कागजी चर्च, १९७१

अथ मुख्य सचिव/प्रधान सचिव/सचिव, सर्व मंत्रालयों के विभाग,

सर्व विद्यार्थीय मंडळाना, सर्व विद्यार्थिकांकरिता,

सर्वे भिल्ला परिभाषा सुद्धा वापिकाट नदिसाही.

* प्रत्येक, एक नमूना (युक्त शाखा/कक्षा शाखा), मुंबई, महाराष्ट्र, भारत

* प्रमाणित अभिलेखित आणि उपलब्धतामुळे यांचे संदर्भितन, मुंबई

✱ **उपनिषद्** ब्राह्मणम् आत्मसत्यं दर्शयति, **संस्कृतम्** अर्थव्यवस्थां दर्शयति।

सविप्र. स.प्र.वि. (१६-४). मुम्बई

सचिव, सर्वे प्रबंधिका निवास मंडले/प्रभियं, राज्या निवास मंडल,

संयोजक, सवालकल्याण, मुम्बई/अमुक, लखिमपुर विकास, नरिपक,

संपादक, आर्तिदेवली संवाहक स प्रविशक संपादक, पुनी/सिक्काक, सेकरोजन, मुंबई

महोदय, महाराष्ट्र-१/२ (लेखा व अनुसंधान), पुणे/विजयपुर

महामहोपाध्याय, महाप्रभु-१/२ (संका संका), मुंबई/बनारस

अभिधान व लेखाधिकारी, मुद्रा/निवासी सेवाएँ/सहायक अधिकारी, मुद्रा,
आई. ए. ए. सी. विभाग/आर्थिक विभाग, प्रधान व कार्यकारी अधिकारी

संघी भण्डारण विभागच्या कार्यान्वयनातील विविध प्रमुखा व कामांमि प्रमुख, 187 भण्डारण विभाग

विषय सूची

सिवाय गृहस्थ, श्रवण-५

२८. पञ्चमः । अत्रिंशत्तमः । अत्रिंशत्तमः । अत्रिंशत्तमः । अत्रिंशत्तमः । अत्रिंशत्तमः ।

© 2004 Blackwell Publishing Ltd, *Journal of Internal Medicine* 255: 103–110

SCHEDULE

Description of category

To whom rule of exclusion will apply

CONSTITUTIONAL POSTS

- Son(s) and daughter(s) of
- (a) President of India;
 - (b) Vice President of India;
 - (c) Judges of the Supreme Court and of the High Courts;
 - (d) Chairman & Members of UPSC and of the State Public Service Commission; Chief Election Commissioner; Comptroller & Auditor General of India.
 - (e) Persons holding Constitutional positions of like nature.

SERVICE CATEGORY

A. Group A/Class I officers of the All India

Central and State Services (Direct Recruits)

- Son(s) and daughter(s) of
- (a) parents, both of whom are Class I officers;
 - (b) Parents, either of whom is a Class I Officer
 - (c) parents, both of whom are Class I officers, but one of them dies or suffers permanent incapacitation.
 - (d) parents, either of whom is a Class I officer and such parent dies or suffers permanent incapacitation and before such death or such incapacitation has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years.
 - (e) parents, both of whom are Class I officers die or suffer permanent incapacitation and

Description of category

To whom rule of exclusion will apply

before such death or such incapacitation of the both, either of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years.

Provided that the rule of exclusion shall not apply in the following cases:

(a) Sons and daughters of parents either of whom or both of whom are Class-I officers and such parent(s) dies/die or suffer permanent incapacitation.

(b) A lady belonging to OPC category has got married to a Class-I officer, and may herself like to apply for a job.

B. Group B/Class II officers of the Central & State Services (Direct Recruitment)

Son(s) and daughter(s) of

(a) Parents both of whom are Class II officers;

(b) Parents of whom only the husband is a Class II officer and he gets into Class I at the age of 40 or earlier.

(c) Parents, both of whom are Class II officers and one of them dies or suffers permanent incapacitation and either one of them has had the benefit of employment in any International Organisation like UN, IMF, World Bank, etc. for a period of not less than 5 years before such death or permanent incapacitation.

(d) Parents of whom the husband is a Class I officer (direct recruit or pre-forty promoted) and the wife is a Class II officer and the wife dies or suffers permanent incapacitation and;

Description of category

To whom rule of exclusion will apply

(a) parents, of whom the wife is a Class I officer (Direct recruit or promoted) and the husband is a Class II officer and the husband dies or suffers permanent incapacitation.

Provided that the rule of exclusion shall not apply in the following cases

Sons and daughters of

(a) Parents both of whom are Class II officers and one of them dies or suffers permanent incapacitation.

Sons and daughters of

(a) Parents, both of whom are Class II officers and both of them die or suffer permanent incapacitation, even though either of them has had the benefit of employment in any International Organisation like UN, ILO, World Bank, etc. for a period of not less than 5 years before their death or permanent incapacitation.

C. Employees in Public Sector Undertakings etc.

The criteria enumerated in A & B above in this Category will apply mutatis mutandi to officers holding equivalent or comparable posts in PUs, Banks, Insurance Organisations, Universities, etc. and also to equivalent or comparable posts and position under private employment, pending the evaluation of the posts on equivalent or comparable basis in these institutions, the criteria specified in Category VI below will apply to the officers in these institutions.

Description of category

To whom rule of exclusion will apply

D. ARMED FORCES INCLUDING PARA-MILITARY

FORCES

(Persons holding civil posts are not included.)

son(s) and daughter(s) of parents either both of whom is or are in the rank of Colonel and above in the Army and to equivalent posts in the Navy and the Air Forces and the Para Military Forces;

Provided that:-

(i) If the wife of an Armed Forces Officer is herself in the Armed Forces (i.e. the category under consideration) the rule of exclusion will apply only when she herself has reached the rank of Colonel;

(ii) The service ranks below Colonel of husband and wife shall not be clubbed together;

(iii) If the wife of an officer in the Armed Forces is in civil employment, this will not be taken into account for applying the rule of exclusion unless she falls in the service category under item No. 11 in which case the criteria and conditions enumerated therein will apply to her independently.

PROFESSIONAL CLASS AND THOSE ENGAGED IN TRADE AND INDUSTRY

(1) Persons engaged in profession as a doctor, lawyer, chartered Accountant, Income-Tax Consultant, financial or management consultant, surgeon, engineer, architect, computer specialist, film artist and other film professional, author, playwright, Media professional or any other vocations of like status.

Criteria specified against Category VI will apply:-

Description of category	To whom rule of exclusion will apply
(ii) <u>Persons engaged in trade, business and industry</u>	<p data-bbox="446 228 479 1008">Criteria specified against Category VI will apply:</p> <p data-bbox="495 228 527 1008"><u>Explanation:</u></p> <p data-bbox="544 228 673 1008">(i) Where the husband is in a profession and the wife is in a Class II or lower grade employment, the income/wealth test will apply only on the basis of the husband's income.</p> <p data-bbox="690 228 852 1008">(ii) If the wife is in any profession and the husband is in employment in a Class II or lower rank post, then the income/wealth criterion will apply only on the basis of the wife's income and the husband's income will not be clubbed with it.</p>
V <u>PROPERTY OWNERS</u>	
A <u>Agricultural holdings</u>	<p data-bbox="966 228 1063 1008">(a) Only irrigated land which is equal to or more than 85% of the statutory ceiling area, or</p> <p data-bbox="1079 228 1128 1008">(b) Both irrigated and unirrigated land, as follows:</p> <p data-bbox="1144 228 1378 1008">The rule of exclusion will apply where the pre-condition exists that the irrigated area (having been brought to a single type under a common denominator) 40% or more of the statutory ceiling limit for irrigated land (this being calculated by excluding the unirrigated portion). If this pre-condition of not less than 40% exists, then</p>

Description of category

To what rule of exclusion will apply

only the area of unirrigated land will be taken into account. This will be done by converting the unirrigated land on the basis of the conversion formula existing into the irrigated type. The irrigated area so computed from unirrigated land shall be added to the actual area of irrigated land and if after such addition together the total area in terms of irrigated land is 85% or more of the statutory ceiling limit for irrigated land, then the rule of exclusion will apply and disqualification will occur.

(ii) The rule of exclusion will not apply if the land holding of a family is exclusively unirrigated.

B Plantations

(i) Coffee, tea, rubber, etc.

(ii) Mango, citrus, apple plantations etc.

C Vacant land and/or buildings in urban area or urban agglomerations.

Criteria of income/wealth specified in Category VI below will apply

Deemed as agricultural holding and hence criteria set above under this Category will apply. Criteria specific in Category VI below will apply.

Explanation: Building may be used for residential, industrial or commercial purposes and the like two or more such purposes.

VI) INCOME/WEALTH TEST :

son(s) and daughter(s)

(a) Persons having gross annual income of Rs.1 lakh or above or possessing wealth above the exemption limit as prescribed in the wealth tax Act for a period of three consecutive years.

Description of category

To whom rule of exclusion will apply

(b) Persons in categories I, II, III and VA who are not disentitled to the benefit of reservation but have income from other sources of wealth which will bring them within the income/wealth criteria mentioned in (a) above.

Explanation :

- (i) Income from salaries or agricultural a land shall not be clipped;
- (ii) The Income criteria in terms of rupees will be modified taking into account the changes in its value every three years. If the situation, however, so demands, the interrogans may be less.

Explanation : Wherever the expression "permanent incapacitation" occurs in this schedule, it shall mean incapacitation which results in putting an officer out of service.